

Atty. Docket No. TSC01 P-300A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Appln. No. : 10/063,993
Applicant : Terry S. Callaghan
Art Unit : 2857
Confirmation No. : 5739
Filing Date : June 2, 2002
For : VEHICLE ACCESSORY FOR MONITORING TRAVEL
DISTANCE

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Assistant Commissioner for Patents
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REPLY

This is a response to the final Office Action mailed January 27, 2003. In that Office Action, the Examiner indicated that claims 4, 5, 14, 15, 23, and 24 would be allowable if rewritten in independent form. Applicant wishes to thank the Examiner for this indication of allowable subject matter.

Also in the Office Action, the Examiner rejected claims 1-3, 6?, 7?, 9-13, 16, 17, and 25 under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,297,781 issued to Turnbull et al.; rejected claim 8 under 35 U.S.C. §103(a) as being unpatentable over Turnbull et al. in view of U.S. Patent No. 5,825,286 issued to Coulthard; and rejected claims 18-21 under 35 U.S.C. §103(a) as being unpatentable over Turnbull et al. in view of U.S. Patent No. 4,875,167 issued to Price et al. Applicant respectfully traverses these rejections for the reasons stated below.

Applicant respectfully traverses the rejection of claims 1-3, 6?, 7?, 9-13, 16, 17, and 25 under 35 U.S.C. 102(a) as being anticipated by Turnbull et al.

Independent claim 1 recites: a receiver for receiving a signal from a remote transmitter; a mileage accumulator coupled to the receiver for accumulating vehicle mileage

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received from a mileage sensor *in response to a signal received by the receiver from the remote transmitter*; and a display for displaying the vehicle mileage accumulated by the mileage accumulator. The Examiner contends that receiver 136 and microwave receiver 115 correspond to the claimed receiver and that odometer 154 corresponds to the recited mileage accumulator. In addition, the Examiner contends that the odometer 154 of Turnbull et al. accumulates vehicle mileage received from a mileage sensor in response to a signal received from the receiver (136, 115). The Examiner refers to column 8, line 40 through column 9, line 64 and column 26, lines 11-43 of Turnbull et al. for support for these contentions. For the reasons stated below, Applicant submits that these portions of Turnbull et al. do not support the Examiner's assertions.

While column 26, lines 11-43 does disclose that the signals received from GPS satellites can be used to calculate distance traveled and that such calculated travel distance can be used to verify the accuracy of the odometer, this does not imply that the odometer 154 is in anyway *responsive* to signals from satellites. In fact, the system disclosed in Turnbull et al. does not attempt to control or otherwise modify the odometer's computed travel distance, but rather only stores the travel distance as computed by the GPS system to be used to allow a person to compare the two travel distances and determine whether it is likely that the odometer has been tampered with.

Thus, Turnbull et al. does not teach or suggest each and every element of claim 1. Namely, Turnbull et al. does not disclose a mileage accumulator that is coupled to a receiver and that accumulates vehicle mileage in response to a signal received by a receiver from a

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remote transmitter. Accordingly, independent claim 1, as well as claims 2 and 3, which depend therefrom, are allowable over Turnbull et al.

Although claims 6 and 7 are not identified in paragraph 3 of the Office Action as being subject to this rejection, Applicant notes that there is a discussion of claims 6 and 7 in the paragraphs that follow paragraph 3, and therefore, Applicant assumes that claims 6 and 7 are intended to be rejected as anticipated over Turnbull et al.

Independent claims 6 and 12 recite the combination of a tripmeter and a transmitter for transmitting the vehicle travel distance to a receiver that is *remotely located from the vehicle*. The Examiner contends that the recited receiver corresponds to receiver 136 of Turnbull et al. and the transmitter corresponds to transmitter 134. However, the receiver 136 is not *remote from the vehicle*. Instead, it is coupled by wired connection to the microprocessor 110, which is located in the vehicle. Accordingly, it could not be located remotely from the vehicle. On page 9, lines 4-8 of the Office Action, the Examiner contends that Turnbull et al. does disclose transmitting a computed travel distance to a receiver and a computer that are remotely located from the vehicle, and cites column 8, lines 15-25 and column 19, lines 38-55 of Turnbull et al. in support of this contention. Applicant has carefully reviewed these cited passages and respectfully submits that they do not support the Examiner's position.

The passage in column 8 merely states that signals from GPS satellites may be received (by receiver 115 which is located in the vehicle), and that distance of travel may be computed from the information received from the GPS satellites. This passage does not disclose

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transmitting distance of travel to any receiver that is remote from the vehicle, nor does it suggest any reason why one would wish to do so.

The passage in column 19 merely relates to an embodiment in which an IR or RF transmitter (134) transmits GPS vehicle location information to a laptop computer that is carried in the vehicle, such that a navigation program in the laptop computer can serve as the vehicle's navigation system. Receiver 136 is not used for carrying out the functions of the embodiment disclosed in the cited passage of Turnbull et al. It is further noted that the laptop computer 21 is not located *remote from the vehicle*. Moreover, it would not have been obvious to locate the laptop computer remote from the vehicle since doing so would destroy the ability of the laptop to be used to provide navigational assistance to the driver of the vehicle.

On page 8, lines 1-11, the Office Action states that receiver 136 may be remotely located from the vehicle and cites column 9, lines 46-49 of Turnbull et al. in support. However, this passage does not state that the receiver is remotely located relative to the vehicle, but rather states that it can receive signals from a transmitter that is remotely located, such as from a remote keyless entry (RKE) transmitter. Thus, it is the transmitter that is remotely located, not the receiver. The Examiner further cites column 20, line 62 through column 21, line 4. This passage pertains to the positioning of transmitter 134, not the remote transmitter that transmits a signal to receiver 136. More specifically, it discloses that transmitter 134 may be located on the bottom of the mirror housing 30 or may be located remote from the mirror housing (but still in the vehicle) and coupled to processor 110 over a wired connection, such as a dedicated wire or the vehicle bus. Accordingly, none of these

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cited passages of Turnbull et al. disclose that vehicle travel distance is transmitted to a receiver that is remote from the vehicle.

For the reasons stated above, Turnbull et al. fails to disclose each and every element of independent claims 6 and 12. Further, because Turnbull et al. fails to suggest any reason why one skilled in the art would have found it desirable to transmit vehicle travel distance to a receiver that is remote from the vehicle, Applicant submits that independent claims 6 and 12, as well as claims 9-13, 16, 17, and 25, which depend therefrom, are allowable over Turnbull et al.

Applicant respectfully traverses the rejection of claim 8 under 35 U.S.C. §103(a) as being unpatentable over Turnbull et al. in view of Coulthard. Because claim 8 depends from independent claim 6, it includes all the features of claim 6. As noted above, Turnbull et al. fails to teach or suggest each and every feature of claim 6. Applicant submits that Coulthard fails to teach or suggest these deficiencies. Specifically, Coulthard fails to teach or suggest transmitting vehicle mileage to a receiver that is located remotely from the vehicle. Thus, neither Turnbull et al. nor Coulthard teaches or suggests this feature. Accordingly, claim 8 is allowable over the teachings of Turnbull et al. and Coulthard.

Applicant respectfully traverses the rejection of claims 18-22 under 35 U.S.C. §103(a) as being unpatentable over Turnbull et al. in view of Price et al. Because claims 18-22 depend from independent claim 12, they include all the features of claim 12. As noted above, Turnbull et al. fails to teach or suggest each and every feature of claim 12. Applicant submits that Price et al. fails to teach or suggest these deficiencies. Specifically, Price et al. fails to

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teach or suggest transmitting vehicle mileage to a receiver that is located remotely from the vehicle. Thus, neither Turnbull et al. nor Price et al. teaches or suggests this feature.

Accordingly, claim 18-22 are allowable over the teachings of Turnbull et al. and Price et al.

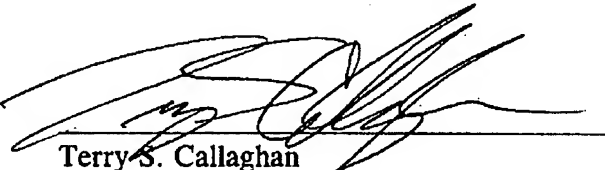
In view of the foregoing remarks, Applicant submits that the present invention as defined in the pending claims is allowable over the prior art of record. The Examiner's reconsideration and timely allowance of the claims is requested. A Notice of Allowance is therefore respectfully solicited.

Respectfully submitted,

By: Price, Heneveld, Cooper,
DeWitt & Litton

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